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SAP/BSTZ

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EXAMINER

DAS, CHAMELI

ART UNIT

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2192

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/536,634	Applicant(s) BARTSCH ET AL.	
	Examiner CHAMELI C. DAS	Art Unit 2192	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>5/26/05, 7/13/2009</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED DESCRIPTION

1. This action is in response to the preliminary amendment filed on 5/26/05.
2. Claims 1-27 have been canceled.
3. Claims 28-60 have been added.

Information Disclosure Statement

4. The information disclosure statement (IDS) submitted on 5/26/05, 7/13/2009 submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Examiner's Notes

5. Examiner cites particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that, in preparing responses, the applicant fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Drawings

6. The drawings filed on 5/26/2005 have been accepted by the Examiner.

Oath/Declaration

7. The applicant's oath/declaration has been reviewed by the examiner and is found to conform to the requirements prescribed in 37 C.F.R. 1.63.

Priority

8. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in Foreign Application No. 03007527.9, filed on 4/1/2003.

Specification

9. The abstract of the disclosure is objected to because the abstract recites the reference numerals. The Abstract does not indicate and Figures. The reference numerals should be deleted from the Abstract.

Appropriate Correction is required.

Claim Objections

10. Claim 51 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 51 depends of claim 50 and has the same limitation.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claims 28-60 are rejected under 35 U.S.C. 102(b) as being anticipated by McInerney et al (McInerney), US 5758160

As per claim 1, McInerney discloses:

- A computer system comprising (Fig 2);
- a source file repository storing a plurality of active source files belonging to a component (Abstract, lines 6-16) and (fig 9), where state= compiled are the active state of the source file and where the compiled components are the active components are the in repository (file) ;
- and a central compilation service communicatively coupled with the source file repository that (fig 4),
- upon receiving an activation request for at least one inactive source file of the component (col 13 lines 1-30), where “compile function is called on the interface component” is the activation request and the "Needto Compile" (col 12 lines 50-60) are the inactive source file of the component,
- compiles the component using the at least one inactive source file and (col 14, lines 44-50), where “Needto compile” is the inactive source file and the component is compiled:
- in case the compilation is successfully completed, (col 14 lines 44-50), (col 17 lines 9-14) where the “value returned is Done” clearly indicates the compilation is successfully completed as claimed;
- initiates a transfer of the at least one inactive source file to the plurality of active source files (col 16 lines 33-40), where “the compiler return the valued Done and it will store the new value of the declaration property” clearly indicates

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that transfer the inactive source file to the active source file where the declaration property has been changed the status as compiled (active) and (col 17 lines 9-14).

As per claim 29 the rejection of claim 28 is incorporated and further McInerney discloses:

- wherein the transfer comprises adding the at least one inactive source file to the plurality of active source files if the inactive source file has no corresponding active source file (col 17 lines 10-30).

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As per claim 30 the rejection of claim 28 is incorporated and further McInerney discloses:

- wherein the transfer of the at least one inactive source file is in response to replacing at least one corresponding active source file with the at least one inactive source file in case the corresponding active source file is outdated (col 8 lines 21-28).

As per claim 31 the rejection of claim 28 is incorporated and further McInerney discloses:

- wherein the transfer comprises replacing at least one corresponding active source file with the at least one inactive source file if the active source file is outdated (col 8 lines 21-28).

As per claim 32 the rejection of claim 28 is incorporated and further McInerney discloses:

- further comprising a runtime archive storage to store a compilation result of the component in case the compilation of the component is successfully completed (col 17 lines 8-14).

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**As per claim 33 the rejection of claim 28 is incorporated and further
McInerney discloses:**

- wherein the at least one inactive source file is stored in a further source file repository (col 4 lines 50-56,), (col10 lines 65-67- col 11 lines 1-8).

**As per claim 34 the rejection of claim 28 is incorporated and further
McInerney discloses:**

- wherein the central compilation service notifies a changer of the inactive source file in case the compilation of the component fails (col 5 lines 65-67 – col 6 lines 1-8), (col 13 lines 24-27).

**As per claim 35 the rejection of claim 28 is incorporated and further
McInerney discloses:**

- wherein the central compilation service assigns a component status to the component depending on the result of the compilation (col 20 lines 4-6);

- the component status being ready in case the compilation of the component is successfully completed (col 17 lines 8-14).

**As per claim 36 the rejection of claim 28 is incorporated and further
McInerney discloses:**

- wherein the central compilation service assigns a component status to the component depending on the result of the compilation, the component status being broken in case the compilation of the component fails (col 17 lines 8-14), (col 22 lines 10-14).

**As per claim 37 the rejection of claim 28 is incorporated and further
McInerney discloses:**

- wherein the central compilation service assigns a component status of dirty to a further component that depends on the component in case the compilation of the component is successfully completed.(Abstract), (col 17 lines 8-14).

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As per claim 38 the rejection of claim 28 is incorporated and further McInerney discloses:

- wherein the central compilation service performs an incremental build when compiling the component if the component has a dependency on a further component, the incremental build using a component dependency evaluator to determine the dependency and to provide a previously obtained compilation result of the further component, and to provide the at least one inactive source file and the plurality of active source files of the component (col 3 lines 18-29), (col 8 lines 20-29).

As per claim 39 the rejection of claim 28 is incorporated and further McInerney discloses:

- wherein the central compilation service performs a parallel build when compiling the component by evaluating dependencies of the component on further components and compiling the component and at least one of the further components in parallel based on the dependencies (col 3 lines 18-29), (col 8 lines 20-29).

As per claim 40 the rejection of claim 39 is incorporated and further McInerney discloses:

- wherein the parallel build is performed by a cluster of build computers (col 7 lines 40-55).

Claims 41- 45 are the article of manufacture claims corresponding to the system claims 28, 24, 38, 39 and 40 respectively and rejected under the same reason set forth in connection of the rejections of 28, 24, 38, 39 and 40 above.

Claims 46-54 are the method claims corresponding to the system claims 28, 24, 34, 30, 32, 36, 37, 38 and (39 & 40) respectively and rejected under the same reason set forth in connection of the rejections of 28, 24, 34, 30, 32, 36, 37, 38 and (39 & 40) above.

As per claim 55, McInerney discloses:

- A method for validating software comprising (col 8 lines 30-34)
- retrieving a source file of a component referencing a referenced component from a source file repository of a source control system with a local file system (Abstract, col 3 lines 18-30, col 4 lines 35-44) ;
- obtaining a compilation result of the referenced component from a runtime archive storage with the local file system (col 12 lines 51-67 – col 13 lines 1-25);
- receiving a modification of the source file with an integrated development environment (col 16 lines 33-40);
- transferring the source file to a local build tool within the integrated development environment upon having received the modification (col 17 lines 1-14);
- retrieving the compilation result from the local file system with the local build tool (col 12 lines 51-67);
- locally compiling the component that includes the modified source file by using the compilation result of the referenced component resulting in a new compilation result of the component with the local build tool (col 12 lines 51-67 – col 13 lines 1-25);
- storing the new compilation result in the local file system (col 14 lines 35-60);
- checking in the modified source file into the source file repository, the modified source file becoming an inactive source file of the source file repository; (col 14 lines 35-60);
- launching an activation request with regards to the inactive source file directed to a central compilation service (col 13 lines 1-30), (col 12 lines 50-60);

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and loading the inactive source file and corresponding active source files of the component from the source file repository with the central compilation service(col 16 lines 33-40, col 17 lines 10-15).

**As per claim 56 the rejection of claim 55 is incorporated and further
McInerney discloses:**

- retrieving the compilation result of the referenced component from the runtime archive storage; centrally compiling the component with the central compilation service; and triggering the activation of the successfully compiled inactive source file in the source file repository in case of successful central compilation (col 13 lines 1-30, col 16 lines 32-40, col 17 lines 8-14).

**As per claim 57 the rejection of claim 56 is incorporated and further
McInerney discloses:**

- the integrated development environment deploying the new compilation result to a local runtime for test purposes prior to the checking in step (col 10 lines 63-67, col 11 lines 9-20).

**As per claim 58 the rejection of claim 56 is incorporated and further
McInerney discloses:**

the central compilation service making available the result of the central compilation in the runtime archive storage (col 13 lines 1-30).

**As per claim 59 the rejection of claim 56 is incorporated and further
McInerney discloses:**

- the central compilation service storing an error result in case an error occurs during the central compilation, and making available the error result to a changer of the inactive source file causing the error (col 5 lines 65-67- col 6 lines 1-7, col 12 lines 52-67).

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As per claim 60 the rejection of claim 55 is incorporated and further McInerney discloses:

- A local development computer configured to execute retrieving, obtaining, transferring, retrieving compilation result, locally compiling, storing, deploying and launching (col 13 lines 1-30).

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chameli Das whose telephone number is 571-272-3696.

The examiner can normally be reached on Monday-Thursday from 7:00 A.M. to 3:30 P.M and 7:30 P.M – 9:30 P.M (E.T).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Tuan Dam can be reached at 571-272-3695. The fax number for this group is (571) 273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call (800) 786-9199 (in the USA or Canada) or (571) 272-1000.

/CHAMELI C. DAS/

Primary Examiner, Art Unit 2192

Dated: 6/18/10

